

**EXHIBIT 4 – PLAINTIFFS’ AFFIDAVITS**

STATE OF MICHIGAN  
IN THE THIRD CIRCUIT COURT FOR WAYNE COUNTY

DANIEL J. SALKOWSKI,  
JEFFREY HAMM,  
RICHARD MAKULSKI

Plaintiffs

v.

Case No. 2019-        -CL  
Hon.

CITY OF DETROIT, THE DETROIT POLICE AND  
FIRE PENSION BOARD, DETROIT FIRE  
FIGHTERS ASSOCIATION LOCAL 344,  
Defendants,

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ELIZABETH A. FERGUSON (P53645)  
Law Offices of Elizabeth A. Ferguson, PLLC  
Attorney for Plaintiffs  
55 Southbound Gratiot  
Mount Clemens, MI 48043  
586-206-0157 586-261-4835 (fax)

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AFFIDAVIT IN SUPPORT OF TEMPORARY RESTRAINING ORDER

Now comes Affiant, Daniel Salkowski, and after being duly sworn, states for my  
Affidavit as follows:

1. I am a Plaintiff in the above action.
2. I have personal knowledge of the facts set forth in this affidavit, and if sworn as a  
witness, can testify competently to these facts.

3. I seek a temporary restraining order for the following reasons:
- a. I am currently a Detroit Fire Fighter.
  - b. I applied to the DROP program on or about July 14 or July 15, 2014 and at that time the program was unlimited, meaning I did not have a specific timeframe in which I had to retire.
  - c. I was not told that the DROP program had been suspended on July 1, 2014 and was not supposed to accept or process applications, nor was I told that the DROP program's terms were being changed from unlimited to five years.
  - d. I was told by a Human Resources representative at least twice while I was going through the process that I was in the unlimited DROP program.
  - e. After the DROP program was changed, I was notified that I was no longer in the unlimited DROP program but instead was in a five-year DROP program.
  - f. I have attempted to resolve this situation and was repeatedly told that I am in the five-year DROP program and cannot change my designation to unlimited, even though I was assured I was in the unlimited DROP program throughout the processing of my application.
  - g. I am being forced to retire effective August 8, 2019; my last day of employment will be August 7, 2019.
  - h. The Temporary Ex Parte Restraining Order is necessary to prohibit the Defendants from terminating my employment through retirement while this matter is being litigated.
  - i. If I am terminated while this action is pending, I will lose my position, my pay, and my benefits.

- j. I was misled by the Defendants and they denied me an opportunity to make an informed decision on my retirement by repeatedly telling me I was in the unlimited DROP program and processing my application while the program was suspended.

7-24-19  
Date

/s/ Daniel J. Salkowski  
Daniel Salkowski, Plaintiff

STATE OF MICHIGAN )

MACOMB COUNTY )

Subscribed to and sworn before me in Macomb County, Michigan on 7-24-19 by  
Daniel Salkowski.

/s/ Joseph M. Palm  
Joseph M. Palm  
Notary Public, State of Michigan, County of Macomb  
My commission expires 04/07/2024  
Acting in the County of \_\_\_\_\_

STATE OF MICHIGAN  
IN THE THIRD CIRCUIT COURT FOR WAYNE COUNTY

DANIEL J. SALKOWSKI,  
JEFFREY HAMM,  
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Defendants,

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ELIZABETH A. FERGUSON (P53645)  
Law Offices of Elizabeth A. Ferguson, PLLC  
Attorney for Plaintiffs  
55 Southbound Gratiot  
Mount Clemens, MI 48043  
586-206-0157 586-261-4835 (fax)

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AFFIDAVIT IN SUPPORT OF TEMPORARY RESTRAINING ORDER

Now comes Affiant, JEFFREY HAMM, and after being duly sworn, states for my  
Affidavit as follows:

1. I am a Plaintiff in the above action.
2. I have personal knowledge of the facts set forth in this affidavit, and if sworn as a  
witness, can testify competently to these facts.

3. I seek a temporary restraining order for the following reasons:
- a. I am currently a Detroit Fire Fighter.
  - b. I applied to the DROP program on June 9, 2014 and at that time the program was unlimited, meaning I did not have a specific timeframe in which I had to retire.
  - c. At the time I applied for the unlimited DROP program, the DROP program had not yet been suspended or changed.
  - d. I was not told that the DROP program would be suspended nor was I told that the DROP program's terms were being changed from unlimited to five years.
  - e. I was told several times while I was going through the application process and final retirement choice interview, that I was in the unlimited DROP program.
  - f. After the DROP program was changed, I was only officially notified by certified mail on 6/24/19 that I was no longer in the unlimited DROP program but instead was in a five-year DROP program.
  - g. I have attempted to resolve this situation and was repeatedly told that I am in the five-year DROP program and cannot change my designation to unlimited, even though I was assured I was in the unlimited DROP program throughout the processing of my application.
  - h. I am being forced to retire effective August 8, 2019; my last day of employment will be August 7, 2019.
  - i. The Temporary Ex Parte Restraining Order is necessary to prohibit the Defendants from terminating my employment through retirement while this matter is being litigated.

- j. If I am terminated while this action is pending, I will lose my position, my pay, and my benefits.
- k. I was misled by the Defendants and they denied me an opportunity to make an informed decision on my retirement by repeatedly telling me I was in the unlimited DROP program and processing my application while the program was suspended.

7-23-19  
Date

/s/ Jeffrey R. Hamm  
Jeffrey Hamm, Plaintiff

STATE OF MICHIGAN )

WAYNE COUNTY )

Subscribed to and sworn before me in Wayne County, Michigan on 07/23/2019  
by Jeffrey Hamm.

/s/ MD Hisham Liddin Chowdhury  
MD-Hisham Chowdhury  
Notary Public, State of Michigan, County of Wayne  
My commission expires 10/16/2025  
Acting in the County of \_\_\_\_\_

STATE OF MICHIGAN  
IN THE THIRD CIRCUIT COURT FOR WAYNE COUNTY

DANIEL J. SALKOWSKI,  
JEFFREY HAMM,  
RICHARD MAKULSKI

Plaintiffs

v.

Case No. 2019-                    -CL  
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CITY OF DETROIT, THE DETROIT POLICE AND  
FIRE PENSION BOARD, DETROIT FIRE  
FIGHTERS ASSOCIATION LOCAL 344,  
Defendants,

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ELIZABETH A. FERGUSON (P53645)  
Law Offices of Elizabeth A. Ferguson, PLLC  
Attorney for Plaintiffs  
55 Southbound Gratiot  
Mount Clemens, MI 48043  
586-206-0157 586-261-4835 (fax)

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AFFIDAVIT IN SUPPORT OF TEMPORARY RESTRAINING ORDER

Now comes Affiant, RICHARD MAKULSKI, and after being duly sworn, states for my  
Affidavit as follows:

1. I am a Plaintiff in the above action.
2. I have personal knowledge of the facts set forth in this affidavit, and if sworn as a  
witness, can testify competently to these facts.

3. I seek a temporary restraining order for the following reasons:
- a. I am currently a Detroit Fire Fighter.
  - b. I applied to the DROP program on or about July 7, 2014 and at that time the program was unlimited, meaning I did not have a specific timeframe in which I had to retire.
  - c. I was not told that the DROP program had been suspended on July 1, 2014 and was not supposed to accept or process applications, nor was I told that the DROP program's terms were being changed from unlimited to five years.
  - d. After the DROP program was changed, I was notified that I was no longer in the unlimited DROP program but instead was in a five-year DROP program.
  - e. I have attempted to resolve this situation and was repeatedly told that I am in the five-year DROP program and cannot change my designation to unlimited, even though I was assured I was in the unlimited DROP program throughout the processing of my application.
  - f. I am being forced to retire effective August 8, 2019; my last day of employment will be August 7, 2019.
  - g. The Temporary Ex Parte Restraining Order is necessary to prohibit the Defendants from terminating my employment through retirement while this matter is being litigated.
  - h. If I am terminated while this action is pending, I will lose my position, my pay, and my benefits.
  - i. I was misled by the Defendants and they denied me an opportunity to make an informed decision on my retirement by repeatedly telling me I was in the

unlimited DROP program and processing my application while the program was suspended.

7-23-19  
Date

/s/ Richard Makulski  
Richard Makulski, Plaintiff

STATE OF MICHIGAN    )

MACOMB COUNTY        )

Subscribed to and sworn before me in Macomb County, Michigan on 7-23-19 by  
Richard Makulski.

/s/ John C. Rodriguez II  
John C. Rodriguez II  
Notary Public, State of Michigan, County of Macomb  
My commission expires 9-6-20  
Acting in the County of Macomb